

Appln No. 09/747,392

Amdt date July 22, 2005

Reply to Office action of April 22, 2005

REMARKS/ARGUMENTS

Claims 1-7 and 20-27 will be pending in this application upon entry of the above amendments. Claims 4-7 stand allowed. Claims 1-3 have been amended. Claims 20-27 have been added. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration, reexamination, and an early indication of allowance of the now-pending claims 1-7 and 20-27 are respectfully requested.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Haimi-Cohen (U.S. Patent No. 6,233,320). Applicant respectfully traverses this rejection.

Claim 1, as amended, recites "an uplink/downlink switch for selecting speech frames from an uplink and a downlink signal, the selecting being based on a level of detected voice activity in the speech frames," and "a memory element storing the selected speech frames into a speech file." Haimi-Cohen fails to teach or suggest this limitation.

Haimi-Cohen discloses a wireless telephone that is capable of storing both transmission and reception speech packets in memory. (Col. 6, line 65 - Col. 7, line 2; FIG. 5). Haimi-Cohen teaches that "[s]ince both types of packets are available as a by product of normal operation, the recording does not require any significant DSP resources over the needs of normal communication." (Col. 6, lines 30-33). Thus, in Haimi-Cohen, all speech frames get stored in memory as part of normal operation. The storing is not based on any "level of detected voice activity in the speech frames" as is required in claim 1.

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In fact, Haimi-Cohen teaches away from storing speech frames selected "based on a level of detected voice activity in the speech frames." One of the objectives in Haimi-Cohen's invention is "to provide a record and playback capability to a wireless radio apparatus with minimal increase in cost or power consumption." (Col. 4, lines 20-22). Haimi-Cohen states:

"It is noteworthy that during the telephone conversation, no additional computational work is performed which would thereby require a larger amount of DSP resources. Rather, the only additional work is storing the near-end and far-end speech packets in the memory 110. Thus, a more powerful DSP is not required to provide the record and playback feature of the inventive wireless digital telephone." (Col. 7, lines 33-39).

The selecting of speech frames "based on a level of detected voice activity in the speech frames" would increase usage of DSP resources and would thus be undesirable for the wireless telephone disclosed in Haimi-Cohen. Accordingly, claim 1 is now in condition for allowance.

Claim 2, as amended, recites "recording the first and second speech time frames from said uplink and said downlink signals, wherein the speech time frames are arranged into a single data stream and recorded sequentially with a time stamp for each speech time frame." (Emphasis added). Haimi-Cohen fails to teach or suggest this limitation. Instead, in Haimi-Cohen, the transmission packets and reception packets are separately received and stored in memory in separate memory locations as such packets are received. (Col. 7, lines 55-60). Specifically, the transmission packets are stored in a first location of the memory, and the reception packets stored in a

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second location of the memory. (Col. 6, lines 49-59; FIG. 5). There is nothing in Haimi-Cohen that would teach or suggest speech frames that are "arranged into a single data stream and recorded sequentially with a time stamp for each speech time frame" as is required by claim 2. Accordingly, claim 2 is now in condition for allowance.

Claim 3 is also in condition for allowance because it depends on an allowable base claim, and for the additional limitations that it contains.

Claims 20-27 are new in this application. Claims 20-27 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain. Specifically, new claim 21 recites that a "particular speech frame is discarded and not stored upon a detection of no speech data in the particular speech frame." Although Haimi-Cohen discloses a voice activity detector which outputs a skip signal in response to detection of either voice in the transmission speech samples or silence in the reception speech samples, and further discloses that the transmission and reception decoders discard a current transmission packet and a current reception packet and read a next transmission packet and a next reception packet from the memory, such voice activity detector is part of a playback module, and not part of a record module. (See, Col. 4, line 65 - Col. 5, line 7; FIG. 4). Thus, any discrimination of speech samples occur during playback, and not during recording.

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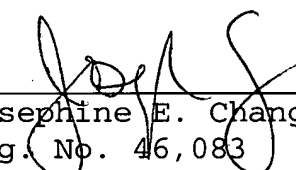
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In view of the above amendments and remarks, reconsideration, reexamination, and an early indication of allowance of the now-pending claims 1-7 and 20-27 are respectfully requested.

Respectfully submitted,

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